

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DEMETRA SUZETTE LAKES

PLAINTIFF

V.

NO. 4:09CV112-DAS

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY**

DEFENDANT

ORDER AWARDING ATTORNEY FEES

Before the court is the claimant's motion (# 16) for payment of attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. In these proceedings, the claimant sought judicial review of the final decision of the Commissioner of Social Security, denying a claim for benefits. By Judgment (# 15) dated October 6, 2010, the court remanded this case to the Commissioner for further proceedings. The claimant now seeks attorney fees under the EAJA on the grounds that she was the prevailing party and that the Commissioner's position was not "substantially justified." By the motion and attached exhibits, the claimant requests an award of \$2,781.25 in attorney fees to be awarded for the benefit of her attorney, Angela D. Williams. The Commissioner does not object to the claimant's request for fees and agrees that the claimant should receive the total amount requested.

The court, having considered the foregoing and the record of this case, finds that \$2,781.25 in attorney fees is reasonable and appropriate. Therefore, it is

ORDERED that the claimant's motion for payment of attorney fees under the EAJA is hereby **GRANTED**, and the Commissioner shall pay the claimant \$2,781.25 for the benefit of the above named attorney.

THIS, the 6th day of January, 2011.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE